App. F. IX-4

1927. (Mysore)

File No. 285-27

Serial Nos. 1 – 5

Previous References

Mis 145-07-1-9
" 57-24-1-12

Later References

187-28-1 2
Mys Dep no 77-31
Mis Dep 74-32

General and Revenue Secretariat.

Serial Nos. 5

Part B for August 1928.

SUBJECT

Appeal petition of Hanumanaiah and others in the matter of conferring the D's order directing that they are not entitled to touch and decorate the Utsava-vigraha of Sri Ranganatha Swami temple at Muddenahalli

---

Dis 336 dated 14.8.28. To the Mys. Comr.

States that there are no reasons to interfere with the orders already passed by the authorities

G. L. S. APP F.III—11 1927

GENERAL AND REVENUE SECRETARIAT.

(muzrai)

NOTES.

File No. 285-27

FILE HEADING.

Appeal petitions from Hanumantiah and others Sameyas of Muddanahalli, Channagiri Taluq.

FROM

Hanumantiah, Muniviah and others.

No. Petitions Dated Received

Diary Nos	Enclos.	Spare copies	Serial No
1332, 1332(a).			1

BRIEF ABSTRACT OF LETTER

Appeal against the D.C's order confirming the D.C's order directing that the apltts are not entitled to touch and decorate the mula-Vigraha of Sri Anjaneya Swamy temple at Muddanahalli.

NOTES AND ORDERS.

The petitions were presented to the Member Member's order:— "Records may be called for & Stay order can be issued" Dfto. Submit

5/4/1928 5/4/28

5/4

NOTES—First Sheet.

General and Revenue Secretariat. | File No. 285 of 192 7.

Serial No.

2 To, The Muzrai Cmr
Letter no. 1792 Dy 5.4.1928.
Forwards the petition for report with records—

To, Mr C. Lakshmana Jowa, Adve.
Endt no. 1793 Dy 5.4.1928.
Intimates the above and declines to issue a Stay order.

4 From, The M.C.
Letter no. 1351 Dy 1.6.28.
Submits the Report with records called for in the above.

3 The orders of the Shimoga Dy Cmr, and the M C explain the facts of the case.

From Inam I. no 11,5-07, it is seen that the Complaint in 1907 by the present applts — The Same Rayas — was that inam S. no 1 of the Inderanahalli Village situate for Nanda Diya and Alankara — which duty is performed by them, was in the possession of the Brahman Pujari and that the land should be restored to them

In G.O. no. 1339 Dy 24.3.1909, Orders were passed directing the Brahman Pujari

NOTE—Contn. sheet

W D 0324—GPB—60,000—24 5 27

General and Revenue Secretariat. | File No. VC 5 of 192

Serial No.

he was deprived
heard before orders were passed by
the Land.
the local authorities. It will be
seen from the records that
this land was restored to their
possession
5 The present Complaint of the
Sameraya's is that the Brahmin
Pujari has to do "ಅಭಿಷೇಕ" only
while they have the right to "ಅಲಂಕಾರ"
and "ನಂದಾದೀಪ" to Mulanaya
In the Statement of 1847
filed by Pujari Hanumanthaiah
which led to the inam Settlement
it is clearly noted in col. 10 that
S no 1. is in the enjoyment of the
ancestors of the apltrs whose
manual duty is to perform
the Alankara etc. to the "ಅಲಂಕಾರ
ಸೇವೆ"

Both the D.C. and M.C
have accordingly ordered that
Sameraya's have a right only
to decorate the Nirana lights
and burn hot torch and
decorate Mula Vigraha.

Against this order, Sameraya's
have appealed to Govt
Vs the order

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-26

Serial No.

are based upon long-established manual, it is not desirable to interfere with them, and the apltts may be informed accordingly.

10 If it is decided to hear both parties (it does not seem necessary to hear such cases) notices will be issued to them to appear on the date fixed.

Submitted for orders

[illegible]

11 The appellants say that the entry in the Inam Statement of 1869 is an interpolation. The statement is given by one Ramannanthayya, one of the Samasyas. There is evidence of the right to alankara only to Narasimha Vigraha. The absence of any such statement as to Udayagiripalaka in the Inam settlement of 1890 is regarded by the appellants as giving right to alankara of Mukhyaprana also. It seems that the settlement of 1890 has the record with that of 1869 & the omission cannot be taken advantage of

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

General and Revenue Secretariat.

File No. 285 of 192 .

Serial No.

by the appellants. ~~And~~ The practice of adopting Puja by a Brahmin and Archana by a non brahmin priest & keeping by the appellants seems to be unusual and in regard to this the A.D.M. has also advanced sufficient reason why a general rule may not be declared from the practice says. It exists in this respect in 2 or 3 villages in the Chikkanayakanahalli Taluk (vide para 2 of the order) ~~&~~ The Asst. C. has agreed with the Dept. order. Govt may not interfere with this and the appeal may therefore be rejected.

12 The Case may be heard & disposed of by ~~Full~~ Bench

13 May be posted for hearing on 7th July 25

1962

Govt Advocate

Govt Pleader

Note—Contn. Sheet.

1611

App. F. III—2]

General and Revenue Secretariat. | File No 285 of 1927

Serial No | 15 Case taken up on ... more ... Appellant ... case ... Argument ... Appellant ...

17 I have Some Rev Mtgs ... case ... Rev ... Mtgs ... Case No ... Issues ... both parties. ...

18

Opp. Notice ...

Case adjd to 4th Aug. 28

NOTE—Contn sheet

W D 0321—GPB —60,000—24 5 27

General and Revenue Secretariat.

Muz. File No. 285 of 1927.

Serial No.

841/4.6.

The case was heard on 4th and 5th August 1928.

The Appellants were present and represented by Mr. Lakshmana Gowda ~~and~~ the Respondent was not present but Mr. Jayathirthachar was ~~heard~~ present on his behalf.

O R D E R.

The point for decision ~~in~~ in this case is what ~~are~~ the services to be performed by the Samerayas in the Mula Devaru Temple of Sri Anjaneya Swami at Muddenahalli in the Channagiri Taluk. are. This is a matter to be settled with reference to mamool and a clear understanding on this subject was come to in 1900. In that year a Committee of Panchayatdars defined the duties of the Samerayas as well as the Brahmin Archaks of the Temple and the distribution of duties between these two classes of temple servants is given in their Proceedings. In pursuance of these Proceedings, the Samerayas executed a Nawkari-karar in the same year. One of the present Appellants, namely Thimmayya, was one of the Samerayas who ~~has~~ signed this Nowkari-karar and he admits that he was a party to the Proceedings of the Panchayatdars and that he ~~is~~ was one of the signatories to the Nowkari-karar based upon them. There are no

NOTE—Contn. Sheet.

good

WD 01714—GPB —30,000—16-4 28

General and Revenue Secretariat.

Muz. File No. 285 of 1927.

Serial No.

good ~~xxxxxxx~~ grounds to alter the settlement reach -ed with the consent of the Appellants so far back as 1900. In view of this consideration as also of the concurrent findings of the Sub-Division Officer, the Deputy Commissioner and the Muzrai Commissioner, there are no reasons to interfere with the orders passed by these authorities. The appeal is therefore rejected.

Muz
3/5/28

Comptr
Muz
6/5/28

25 Muz. Section
AV
6/8/28.
Muz
6/8/28

26 Comptr
Muz
7/6

5 Memo 336?/14-3 to Inter Court forwards copy of order rejecting the appeal pers nos 337 & 338 of 14 8 28 Copies to the Advocates for ...

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

APR. 1928
VI. 397.

TWO RUP

Record may be called for No stay can be issued
D. 1332 of 27-28
Issued 3/4/28

Before the Govt. of H.H. the Maharaja of Mysore.

Muzrai Appeal of 27-28.

Applts.-1. Thimmaiya;

2. Hanumanthaiya; Samerayas, Muddenahalli, Channagiri Taluk. (Shimoga District.)

vs.

Resdt.- Hanumanthachar, Archak, Hanumanthadevaru Temple, Muddenahalli, Channagiri Taluk.

Under S. 22 of the Muzrai Regn. (VI of 1913).

The applts. above-named most respectfully beg to appeal against the order of the Muzrai Commissioner, in Appeal no. 7 of 27-28, on the following grounds:-

1. The orders of the Lower Officers are hardly judicial, inasmuch as, instead of determining the strict rights of the parties and enforcing them, they have imported into the case considerations of sympathy for the mere sentiments - based on no rights - of the Brahmana Archak, the respdt., and have thus given the go- by to the applts' just rights, viz., to do alankara to the mooladevaru.

2. The D.C., in referring to the practice in the temples of Kundur, Kumblur, and Shikarpur, as not helping to decide the case, has fallen into the manifest error of not noticing that these instances are cited not to prove applts' rights but only to show that the touching by the non-Brahmana samerayas of the idol, does not debar the Brahmana Archak from doing pooja nor render samprokshana necessary: this fact takes away the main, ~~and~~ if not the sole, basis for the respdt's contention.

(P.T.O.

3. In dismissing the applts claim, the Lower Officers, have not weighed or duly weighed, the following important points in ~~their~~ applts' favour, which conclusively prove their case:-

(i) There is absolutely no reference to the distinction now sought to be imported into the case that applts' right of alankara is in respect of Utsavadevaru: the mention of the same in the Inam Settlement of 1847 is spurious, firstly, because, as the applts. understand, the word Utsavadevaru is an interlineation, secondly, if the same were genuine, the qualification would necessarily have found a place in the Inam Settlement of 1870 which refers to alankara without any qualification, ~~merely~~ and is a final and conclusive record of the rights of the parties.

(ii) The inference of the D.C. from the Patel's Jo & From registers of 1893 (1900 in the D.C's order is a mistake) that samprokshana was necessitated in 1893 because of the touching of the idols by the samerayas is unwarranted: the registers show that samprokshana became necessary merely because when the Utsavadevaru was taken according to mamool into Antargha ~~ar~~ ghattamm's temple at Channagiri, animal sacrifices took place before the temple.

(iii) The observation of the Lower Officers that "each time the samerayas attempted to touch the idol the question of samprokshana cropped (!)up", is entirely unwarranted, as, firstly, the only previous instance, viz., that referred to above, is not true, and secondly, the next "instance" is merely the present contention raised by the respdt.

(iv) The very order of the D.C. shows that it is quite

dll able that pooja be done by the Brahmana Archaka first, and the idol left for alankara &c. to the samerayas afterwards, and this is the very case of the applts.

(v) The inference by the D.C. from the proceedings of the Dharmadarsis and (from) applts' muchalika, of 1900, is also unwarranted, as, there again, there is no reference to Utsavadevaru.

(vi) The D.C's dismissing the fact that applts. have been admittedly the custodians of the deity's jewels as of no consequence, ighores the consideration that the fact that it is not even alleged by the respdt. that these jewels were even taken from their possession by the Brahmana Archakas shows that the office of alankara has never been exercised by them, and thus negatives the respdt's case and supports the applts' case.

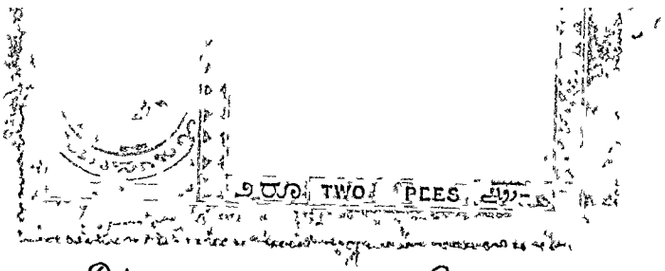
(vii) The applts. beg to file herewith an extract from the "To" register of Shimoga Subdivision, No. 176 of 21-9-1914, showing that applts. were even then enjoying the right to do alankara in respect of, as the evidencing shows, the same deity in respect of which respdt. is stated to have been performing pooja &c.

PRAYER FOR STAY.

The applts. therefore most respectfully ~~beg to~~ submit that their right is supported as above by cogent and conclusive facts and records and they ~~therefore~~ therefore humbly pray that the Govt may be graciously pleased to issue an urgent order for stay of execution of the order under appeal pending the disposal of the appeal. (Applts. beg to state that the Muzrai Commissioner had been pleased to issue a similar order on the filing of the appeal before him).

Bangalore,
29-3-1928.

Chabbanna Gowda
Ad. for applts.



Before the Govt. of H.H.
~~IN THE COURT OF~~ the Maharaja
M.A /22-28 of Mysore
1 Thimmaraja
2 Hanumanthaja & Hanumantha
Char

VAKALATNAMA

executed by the Appellants in favour of

MR. C. LAKSHMANA GOUDA, B.A , B.L., Advocate, &

„ N. V. NARAYANA MURTY, B.A., B.L., Advocate.

I/We hereby empower the said advocates, in person or by proxy, on my/our behalf, to appear in, and conduct the above case, as well as any proceedings arising out of and connected with the same, to compromise the same, and to do all such acts as may be proper and necessary for the due conduct thereof including the signing, and presentation in Court, of the necessary petitions and papers.

And I/we further authorize the said advocates to receive, and give receipts for, any money, document, or other moveable property, that is, or may become, payable or deliverable to me/us in the course of the said case or proceedings.

ಮೈಸೂರು ಮಹಾರಾಜರವರ ಮೇಲೆ

25-3-1928.

I know the executant who ha signed before me.

~~Accepted.~~ ಕಾಡಮದೇವರಹಳ್ಳಿನಾರಾಯಣ
(Kadal Madderahalli)

Accepted.
Lakshmana Gowda
N.V. Narayana 27/3/28

Spinker & Co Printers Bangalore

GOVT. OF MYSORE
MUZRAI
D 1345

Before the Govt. of H.H. the Maharaja of Mysore.

Muzrai Appeal, of 27-28.

Applts.		Respdt.
Sameraya Thimmaiya &c.	vs.	Hanumanthachar.

Applts' memo.

The applts.. respectfully beg to submit for gracious consideration the following additional point for stay:-

Once charge is given over to respdt. (i.e., of the right to do alankara as well) the latter will necessary have samprokshana performed, which is highly undesirable, as it will be both a bad precedent and a reflection on the status of the samerayas as being inferior people and unfit to handle the deity.

Bangalore,
4-4-28.

Advocate
Ad. for applts.

The connected file is sent up. A report has been called for from the Muz. Comr.
This will be placed in the file submitted
11.4.28
12/4/28
18/4

Before the Govt. of H.H. the Maharaja of

Mysore.

Muzrai Appeal no. 19 of 27-28.

Applts. Respdt.

N. Thimmaiya &c. vs. Hanumanthachar.

Applts' memo.

The applts. produce the following documents in the above case :-

1. Endorsement dated 2-8-28 issued to the applts. from the Amildar, Channagiri Taluk, stating that the Board book of 1900 of the temple Dharmadarsies is not forthcoming.

2. Extract from "To" register d. 7-6-1894 of the Vicharanakarta (who was the Patel as well) of the temple of Hanumanthadevaru of the village of Muddenahalli, Channagiri Taluk.

Bangalore,
6-8-28.

Ad. for applts.

PRIVY COUNCIL
3 APR. 1928
No. M.398.

4 APR 1928
MUZRAI

1332. (4) In Court of another petition presented for stay

Before the Govt of Mysore
(Hon Honble Mr Councillor)

Applts
Thimmaiya &c
vs
Hanumanthaiah.

Resp

Filed on 3-4-28

Mysore
3/4/28

Applts' name

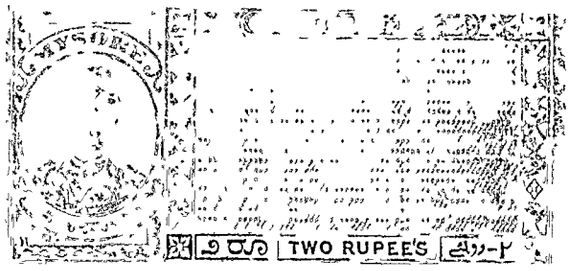
A copy of the D.C's order with the grounds material for stay marginally noted in blue pencil 3 pages, dog-eared, is produced herewith, as undertaken by Counsel

Chikkanna Gowda
Advocate for applts
3-4-28.

Taken back the above order copy

Chikkanna Gowda
3/4/28

Received before the Member-in-charge



ವಕಾಲತ್‌ನಾಮೆ.

ಶ್ರೀನವಲಗುಂದ ಕೋರ್ಟ್ ಕೋರ್ಟ್‌ನಲ್ಲಿ

ಸ್ ನಂ 192 --192 ನೆಯ ಇಸವಿ ನಂಬರು ....

(~~ಅರ್ಜಿದಾರ~~) ~~ಫಾರ್ (ಅಪ್ಪೀಲೆಂಟ್)~~ (~~ಎದುರರ್ಜಿದಾರ್~~) ~~ಪ್ರತಿವಾದಿ (ರೆಸ್ಪಾಂಡೆಂಟ್)~~
ಸಿಯಾದಿ ~~ಅಪರಾಧಿ~~

ವಿರುದ್ಧ

(ಸ್ಥಳವಿಲ್ಲದಿರುವುದರಿಂದ ಮುಂದುವರಿಸಲಾಗಿದೆ 1947-28)

ಶಿವಮೊಗ್ಗಾದಲ್ಲಿರುವ

ಮಾರಾ: ಅಡ್ವೊಕೇಟ್ ಆರ್. ಕೆ. ಜಯತೀರ್ಥಾಚಾರ್, ಬಿ. ಎ., ಎಲ್ ಎಲ್. ಬಿ. ಇವರಿಗೆ

.....ನಿನ್ನಮೇಲೆ ಕನಾಲಕೆ ಹಿಡಿಲ್ಲಾ.....ಬರಸಿಕೊಟ್ಟ ವಕಾಲತ್ ನಾಮೆ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನನ್ನ ಪರವಾಗಿ ತಾವು ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ಮೊಕದ್ದಮೆ ನಡಿಸುವದಕ್ಕೂ ಆರ್ಜಿ ವಗೈರೆ ಕೊಟ್ಟು ನಿಮಾಗಿಸಿ ಸೈಸಲ್ ಹೊಂದತಕ್ಕ ಬಗ್ಯೂ, ಡಿಕ್ರಿಜಾರಿಕ್ರಮ ನಡೆಸತಕ್ಕ ಬಗ್ಯೂ, ದಸ್ತೈವಜು ವಗೈರೆ ತೆಗೆದುಕೊಂಡು ರಸೀದಿ ಕೊಡುವದಕ್ಕೂ, ಕೋರ್ಟಿನಿಂದ ವಾಪಸಾಗತಕ್ಕ ದಾವಾ ಸ್ಟ್ಯಾಂಪು, ಪ್ರೋಸೆಸ್ ಸ್ಟ್ಯಾಂಪು, ಡಿಕ್ರಿಹಣ ಮತ್ತು ಸಾಕ್ಷಿಭತ್ಯ ಇತ್ಯಾದಿ ಇತರ ವಿಧವಾದ ಎಲ್ಲಾ ಪೊಬಲಗು ತೆಗೆದುಕೊಳ್ಳುವದಕ್ಕೂ ಸಹ ತಮಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ... ಆದ್ದರಿಂದ ಈ ಭಾಗದಲ್ಲಿ ತಾವೇ ಆಗಲಿ, ತಮಗೋಸ್ಕರ ಇನ್ಯಾವ ಲಾಯರೇ ಆಗಲಿ ನನಗೋಸ್ಕರ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ನಡೆಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನೂ ನಾ.....ಖುದ್ದು ಇದ್ದು ನಡೆಸಿದಂತೆ ಒಪ್ಪಲು ಇದರಿಂದ ಬದ್ಧನಾಗಿರುತ್ತೇನೆ.....

ತಾ|| .. .. 192 ರುಜು. ಹಿರೇಮಂಕಾವಾರ್

Accepted.

7-7-28

Advocate.

ಈ ವೊಕ್ತ್ಯಾರ್ ನ್ಯಾಮೆ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ಥರು; ನನ್ನ ಸಮಕ್ಷಮ ಇದಕ್ಕೆ ರುಜು ಮಾಡಿದ್ದಾರೆ.

ಶ್ರೀನವಲಗುಂದ ಕೋರ್ಟ್

(ಪಟೇಲ್ ಅಥವಾ ಶ್ಯಾನುಭೋಗನ ರುಜು.)

To be brought up/taken
When case is
Tomorrow. Mark

6.7.25

VI. G1}

SUBJECT.....

.....

.....

2765

Section Mcg

File No. 285-27

Serial No. 2

No. 1792 Encl: two files

To ..... Mrs. Insp. Gen.

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 192

Date of issue 5/11/27

Signed by Mr L.K.S. Iyer

List of enclosures.....

Copied by .....

Examined by .....

Sir,

I am directed to forward herewith for report with remarks, petitions Nos. 1332 and 1332 (A) from Hanumantiah Muniswamy and certain other Samarayas appealing against your order confirming the Shemiaga Dy. Comrs. order directing that the apltts are not entitled to touch and decorate the Image.

over Vigraham

J'ai Anjaneya Swamy
Temple et Muddanahalli,
Channagiri Taluk.

Dbt/ Asst. Secy.

24/5/1928

SUBJECT.....

.....

.....

Section Mem

File No. 285-27

Serial No. 3

No. 1993.

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

To .....

Date of issue..... 5/12/28

Signed by. Mr T.C.S Iyer

With ref. to petitions nos 1332 and 1332(A) presented on behalf of Shanmiah, and certain other Samayas of Muddanahalli in the Chamrajnagar Taluq appealing against the M.C's order confirming the Shirastar D.C's order directing that the appts are not entitled to touch and decorate the Linga. Vigraha of-

List of enclosures.....

Copied by .....

Examined by .....

over

Sri Anjaneya via
temple at the place,
Mr. C Lakshmana Gouda,
Advocate, is informed
That records have been
called for from the R.C,
and That no Stay order
can be issued as prayed
for by him.

B. O.

[illegible] Addl. Secy
5/4/18

1944 [illegible]
Copy to the R.C.
in return of this Office
Letter No.

B. O.

Addl. Secy
5/4/18

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore.....31st..M..a..y.....1928.

1st June.

FROM

P.G. D'Souza, Esq., B.A., B.L.,
Muzrai Commissioner in Mysore.

REVENUE BRANCH
5
1611

Mzy 285 - 27 - 2

To

P. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
Financial Department.

SIR,

With reference to your letter No.1792/Muz.285-27-2 dated 5th April 1928 forwarding for report with records petitions from Hanumanthia and certain other Samerayas appealing against this office order confirming the Deputy Commissioner's order directing that the appellants are -- not entitled to touch and decorate the Mula-vigraha of Sri Anjaneyaswamy temple at Muddenahalli, in the Channagiri Taluk, I have the honor to submit herewith the ten files of records received with the Shimoga District Deputy Commissioner's letter No.C.1629 of 27-28 dated 23rd May 1928 (copy of which is herein enclosed.)

This office file No.R.Dis.98 of 27-28 containing the office order appealed against, the preamble of which gives the facts of the case is also enclosed for reference and kind return.

The appeal petition together with their enclosures received with your letter under reference are also herewith retransmitted.

I have the honor to be,
Sir,
Your most obedient servant,

Ra Narasimha Chinnappa

Assistant Commissioner,
For Muzrai Commissioner.
(Absent from station.)

Letter No.S.1629/27-28 dated 23rd May 1928 from the Deputy Commoner, Shimoga District to the Muzrai Commissioner in Mysore.

23

With reference to your letter No.1351/27-28 dated 14th April 1928. re the appeal to Government by Hanumanthaih and Thimmaih, Samerayas@ Muddenahalli, Chaannagiri Taluk, in the matter of decorating the Mulavigraha of Sri Anjaneyadevaru at the place, I have the honor to submit herewith the ben files of records connected with the matter together -- with the petitions and enclosures received with your letter."

"C o p y"

For Muzrai Commissioner.

Disp. will be on the 12th.

Before the Government of His Highness the Maharaja of Mysore.

Muz. Appeal No. 19 of 1927-8.

Appellants	Vs.	Respondent
Hanumantiah and Thimmiah, Sameragas.		Archak Hanumantachar.

Subject.

Appeal against the Muz. Comr's. order confirming the Shimoga Dy. Comr's. order directing that the apltts are not entitled to tonsure and decorate the Hanuma Vigraha of Sri Anjaneya Swamy temple at Huddanahalli, Channagiri Taluk.

Decision

The case was heard on 1st, 2nd and 5th August 1928.-

GPB—1,000—8-8-11

Copy members'

paras 22, 23 of the
Hico. to no. -

Memo from 285-27-5

Copy to the H. C.
with the receipts received
with his letter no. 1357
dy 1-6-1928.

Bombay

By order,

Dy Chief Secy.

Copies to Messrs.
G. Lakshmana Sonda and
Jaya Thirthachar (Sonda &
Shivaji) Advocates for
the applts. & Respts
B.O.

Dy Chief Secy.

Before the Government of His Highness the

Maharaja of Mysore.

Muz. Appeal No. 19 of 1927-28.

Appellants		Respondent.
	VS.	
Hanumantiah and Thimmiah, Samerayas.		Arelak Hanumantappa.

SUBJECT.

Appeal against the Muzrai Commissioner's order confirming the Shimoga Deputy Commissioner's finding that the appellants are not entitled to touch and decorate the Mula Vigraha of Sri Anganeya Swami temple at Muddanahalli, Channagiri Taluk.

DECISION.

The case was heard on 4th and 5th August 1928.

The appellants were present and represented by Mr. Lok Nath Gowda. The respondent was not present but Mr. Jayathirthachar was present on his behalf.

The point for decision in this case is that the services to be performed by the Samerayas in the Mula Devaru Temple of Sri Anjaneyaswami at Muddenahalli in the Channagiri Taluk are. This matter was settled with reference to custom and usage many years ago and the subject was come to in 1900. In that year a Committee of three Sthanikas defined the duties of the Samerayas as well as of the Archakas of the temple and the distribution of duties and emoluments of temple servants is given in the proceedings. The execution of these proceedings, the Samerayas executed a Nowkari-Karir in favour of Mr. One of the respondents, namely Thimmiah, was one of the Samerayas who signed that Nowkari-Karir and he admits that he agreed to the Proceedings of the Committee and that he signed the Nowkari-Karir pursuant to the Proceedings. There are no good grounds to alter the settlement arrived at so many years ago as between the appellants so far back as 1900. In view of this consideration and of the concurrent findings of the two Inferior Courts, the de-

Commissioner and the Muzrai Commissioner, there are no reasons to interfere with the orders passed by these authorities. The appeal is therefore rejected.

336 Encls: 13 files.

Memo No. Mzg 285-27-5° Bangalore, dated the 14th August 1928

Copy of the above is forwarded with compliments to the Muzrai Commissioner in Mysore, with ~~enclosures~~ the records received with his letter No.1651, dated 1st June 1928.

By Order,

For Secretary to Government,
Financial Department.

Fair
DO?

337 Encl one file 14-8-28
Mr C. Lakshmana Gowda, Advocate - Sirsi

338 14-8-28
Mr Jayatheerthachar Advocate Shimoga.